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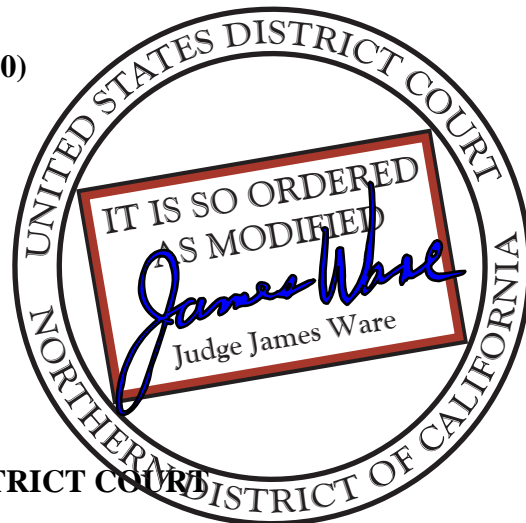
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Attorney for Plaintiffs

Rogelio Montoya and Alicia Montoya



UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

ROGELIO MONTOYA, ALICIA MONTOYA, Case No.: CV09-0641 JW

as individuals,

Plaintiff,

vs.

COUNTRYWIDE BANK, FSB, a United States Bank, COUNTRYWIDE FINANCIAL CORPORATION, a Delaware Corporation, COUNTRYWIDE HOME LOANS, INC., a New York Corporation, COUNTRYWIDE HOME LOANS SERVICING, L.P., a Texas Limited Partnership, BANK OF AMERICA CORPORATION, a Delaware Corporation, MORTGAGE ELECTRONIC REGISTRATION SYSTEM, INC., a Delaware Corporation, RECONTRUST COMPANY, as trustee, and DOES 1 through 50, inclusive, Defendants

NOTICE OF VOLUNTARY DISMISSAL

Judge: Honorable James Ware

Complaint Filed: January 2, 2009

Trial Date:

1
2 **TO THE CLERK OF THE UNITED STATES DISTRICT COURT FOR THE**
3 **NORTHERN DISTRICT OF CALIFORNIA AND DEFENDANTS AND THEIR**
4 **ATTORNEYS OF RECORD:**
5

6 Pursuant to Fed. R. Civ. P. 41(a)(1)(i), Plaintiffs ROGELIO MONTOYA and ALICIA
7 MONTOYA, by and through their attorneys, voluntarily dismiss the above captioned action
8 without prejudice, each party to bear its own fees and costs.
9
10

11 Dated this September 15, 2009

12 Respectfully Submitted,
13


14
15 /s/
16 Lawrence P. Ramirez
17

18 ***** ORDER *****
19

20 In light of this dismissal, Defendant's Motion to Dismiss (Docket Item No. 57) is
21 DENIED as moot.

22 The Clerk shall close this file.

23 Dated: October 15, 2009

24 
25 JAMES WARE
United States District Court